

ECONOMIC DEVELOPMENT AUTHORITY[261]

Adopted and Filed

Pursuant to the authority of Iowa Code section 15.106A, the Economic Development Authority amends Chapter 115, “Tax Credits for Investments in Qualifying Businesses and Community-Based Seed Capital Funds,” Iowa Administrative Code.

The rules in Chapter 115 describe the tax credits for investments in qualifying businesses and community-based seed capital funds. These amendments update an existing rule to provide qualifying businesses a period of time in which to gather and submit the necessary documentation to demonstrate that the equity financing requirements have been met.

Notice of Intended Action was published in the Iowa Administrative Bulletin on January 22, 2014, as **ARC 1289C**. No public comment was received on these amendments. One technical change was made in the second new sentence in Item 1. The introductory phrase for that sentence now reads “For purposes of this subrule.”

These amendments were adopted by the Economic Development Authority Board on March 28, 2014.

These amendments do not have any fiscal impact to the state of Iowa.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 15E.44.

These amendments will become effective May 21, 2014.

The following amendments are adopted.

ITEM 1. Amend paragraph **115.9(1)“a,”** introductory paragraph, as follows:

a. Within 24 months from the first date on which the equity investments qualifying for investment tax credits have been made, a qualifying business shall ~~provide to the authority information and documentation sufficient to demonstrate that the business has~~ have secured total equity or near equity financing equal to at least \$250,000. The business shall provide to the authority information and documentation sufficient to demonstrate that the business has secured total equity or near equity financing equal to at least \$250,000 and that such financing was secured within the 24 months required by this rule and shall do so by the equity deadline. For purposes of this subrule, the “equity deadline” shall be the next June 30 following the end of the calendar year in which the qualifying business is required to have secured total equity or near equity financing equal to at least \$250,000. For example, a qualifying business in which equity investments qualifying for investment tax credits were made in 2011 shall have an equity deadline of June 30, 2014. Examples of sufficient information and documentation include, but are not limited to, the following:

ITEM 2. Amend paragraph **115.9(1)“b”** as follows:

b. ~~On or by the last day of the 24-month period described in paragraph 115.9(1)“a,” equity deadline,~~ a qualifying business shall certify to the authority, by a statement signed by an officer, director, member, manager, or general partner of the qualifying business, that it ~~has~~ secured the requisite amount of equity financing required by this rule ~~within the time period prescribed in paragraph 115.9(1)“a”~~ 24 months from the date on which the equity investments qualifying for investment tax credits were made and shall recertify to the authority that the qualifying business continues to meet the requirements set forth in subrule 115.5(1).

[Filed 3/28/14, effective 5/21/14]

[Published 4/16/14]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 4/16/14.